

**NURSING HOME ADMINISTRATOR EXAMINING BOARD  
MINUTES  
NOVEMBER 11, 2004**

**PRESENT:** Jerry Schallock, Mary Ann Clark (via telephone), Patricia Schulz, David Egan, Kenneth Arneson, and Mary Pike

**EXCUSED:** Patricia Benesh, Mary Lease, and Dr. Robert Kessler

**STAFF PRESENT:** Jerry Lowrie, Bureau Director; Pat Schenck, Program Assistant; Ruby Jefferson-Moore, Legal Counsel; Darwin Tichenor, Exam Specialist; and Division of Enforcement Staff

**CALL TO ORDER**

Jerry Schallock, Chair, called the meeting to order at 9:40 a.m. A quorum of six members was present.

**AGENDA**

Remove Item 14. c. Administrative Warning 04 NHA 002  
Add "Code Book Policy" under Administrative Report

**MOTION:** David Egan moved, seconded by Kenneth Arneson, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF SEPTEMBER 16, 2004**

**MOTION:** David Egan moved, seconded by Mary Pike, to approve the minutes of September 16, 2004 as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT  
JERRY LOWRIE, BUREAU DIRECTOR, BUSINESS AND DESIGN  
BOARD ROSTER**

Add "Vice Chair" after David Egan's name on the roster.  
Check on a correct address on green folders and labels for a correct address for Mary Ann Clark as she did not receive an agenda packet for the 11/11/04 Board meeting.

**2005 MEETING DATES**

The next meeting is scheduled for March 17, 2005. The Board requested that their 2006 meeting dates be scheduled during the third week of the month.

**MOTION:** David Egan moved, seconded by Patricia Schultz, to approve the proposed 2005 meeting dates. Motion carried unanimously.

### **CODE BOOK POLICY**

The Department will no longer be printing hard copies of the statute and administrative code books for the professions.

Customers will have three choices for getting the statutes and administrative codes:

1. Print statutes and administrative code from the Department's web site,
2. purchase a printed copy from Document Sales at a cost of \$15.00 for the smallest books, \$20.00 for the mid-sized books and \$25.00 for the larger books, or
3. purchase the entire code book on CD from Document Sales for approximately \$ 6.50.

These prices include shipping and handling.

### **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES**

Noted.

### **TO DO LIST**

Noted.

### **LEGISLATIVE UPDATE HFS 132 AND 134 – UPDATE**

Ms. Jefferson-Moore reported that HFS 132 and HFS 134 were effective November 1, 2004.

### **DISCUSSIONS AND ACTIONS RELATING TO REVISIONS TO CH. 456. STATS.**

Mr. Schallock updated the board on the history of Assembly Bill 16 relating to the requirements for examinations for nursing home administrator licenses. This bill makes changes to current law regarding the requirements for a nursing home administrator license, the requirements for a reciprocal nursing home administrator license that apply to persons licensed in other states and the requirement to be licensed as a nursing home administrator. The Bill failed to make it through the Senate and will need to be reintroduced.

**MOTION:** David Egan moved, seconded by Mary Pike, that the Board recommends to Representative Wasserman that Assembly Bill 16 is reintroduced as it currently drafted in 2005. Motion carried unanimously.

Jerry Schallock and Kenneth Arneson will represent the Board in reintroducing Assembly Bill 16.

**PRACTICE ISSUES  
CREDENTIALING/REINSTATEMENT/RENEWAL  
EDUCATION/EXAMINATION ISSUES**

No discussion.

**CONTINUING EDUCATION  
NAB APPROVED PROVIDERS  
CE REQUIREMENTS OF NEIGHBORING JURISDICTIONS  
DRAFT PROPOSAL ON ACCEPTING COLLEGE COURSES TOWARDS CONTINUING  
EDUCATION CREDITS  
DAVID EGAN**

The Board discussed nursing home administrators using academic coursework toward continuing education credits. Mr. Egan led the discussion on credits awarded for college courses from neighboring states and noted that universities offer academic opportunities that cannot be obtained in other settings.

Ms. Jefferson-Moore reported that permitting college coursework to be utilized as credit for continuing education hours would require a rule change to Chapter NHA 3. Currently all continuing education must be NAB approved. The Board suggested coursework from the following subject areas: Behavioral Science (Psychology, Sociology, Social Work), Business (Economics, Marketing, Accounting, Finance, Labor Relations or HR, MIS), Communications, Math, Pharmacology, Biology and Environmental and Public Health and other related subjects substantiated by the licensee from an accredited college or university by the US Department of Education.

The Board discussed Chapter NHA 1, defining contact hours, changing CEU wording to contact hours, and Chapters NHA 3 at length.

**MOTION:** David Egan moved, seconded by Patricia Schulz, to revise NHA 3 to indicate that the Board will accept continuing education hours from accredited courses from accredited universities and colleges under certain conditions. Motion carried unanimously.

**MOTION:** Patricia Schulz moved, seconded by Kenneth Arneson, to request that Ruby Jefferson-Moore and Jerry Lowrie draft a scope statement subject to approval by David Egan to revise NHA 3 per the previous motion. Motion carried unanimously.

**NAB  
PROPOSED BUDGET FOR 2005**

The Board reviewed the proposed budget for the fiscal year 2005. NAB projects an anticipated increase in income which will be allocated to support maintenance and enhancement of existing programs as well as to support new initiatives in the Strategic Plan for 2004-2006. The new strategic plan places significant focus on recognizing and serving member needs. Fee increases have not been proposed for fiscal year 2005. The proposed 2005 annual budget will be presented for approval to the Board of Governors at the Mid-Year Meeting in November.

**NAB STRATEGIC PLAN 2004-2006**

The Board reviewed the National Association of Boards of Examiners of Long Term Care Administrators (NAB) strategic plan for 2004-2005 which included vision 2005, mission, values, primary goals, and supporting goals.

**BOARD MEMBER ACTIVITY**

None.

**NEW BUSINESS**

None.

**CLOSED SESSION**

**MOTION:** David Egan moved, seconded by Patricia Schulz, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b), (f) and (g), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Board or the investigation of charges against such a person, and to discuss the case status report and case closings. Roll Call Vote: Patricia Schulz-yes; Mary Ann Clark-yes; Jerry Schallock-yes; Kenneth Arneson-yes; Mary Pike-yes; and David Egan-yes. Motion carried unanimously.

Open Session recessed at 11:45 a.m.

The Board deliberated on pending applications, case closings, monitoring issues, and an administrative warning in Closed Session.

**RECONVENE IN OPEN SESSION**

**MOTION:** Kenneth Arneson moved, seconded by David Egan, to reconvene in Open Session at 1:37 p.m. Motion carried unanimously.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MONITORING  
VINCENT BERGSTROM 01 NHA 018**

**MOTION:** David Egan moved, seconded by Patricia Schulz, to grant Vincent Bergstrom request for a 3-month stay of suspension until the March 18, 2005 Board meeting. Robert Kessler, case advisor. Motion carried.

**CASE CLOSINGS**

**02 NHA 015**

**MOTION:** David Egan moved, seconded by Mary Ann Clark, to close cases **02 NHA 015** for prosecutorial discretion (P3). Mary Ann Clark, case advisor. Motion carried.

**03 NHA 005**

**MOTION:** Patricia Schulz moved, seconded by David Egan, to close case **03 NHA 005** for no violation. Patricia Schulz, case advisor. Motion carried.

**02 NHA 008**

**MOTION:** David Egan moved, seconded by Patricia Schulz, to close cases **02 NHA 008** for prosecutorial discretion (P3). Jerry Schallock, case advisor. Motion carried.

**03 NHA 027**

**MOTION:** David Egan moved, seconded by Patricia Schulz, to close case **03 NHA 027** for no violation. Patricia Schulz, case advisor. Motion carried.

**ADMINISTRATIVE WARNING  
04 NHA 002**

Administrative warning 04 NHA 002 was withdrawn and deferred to March 18, 2005.

**STIPULATION**

None.

**PENDING APPLICATIONS**

None.

**EXAMINATION QUESTIONS – DARWIN TICHENOR**

Darwin Tichenor, Exam Specialist, met with the Board to discuss examination questions in relation to revisions to HFS 132 & 134. The new examination will be available to candidates in January 2005.

### **OTHER SUCH ITEMS AS AUTHORIZED BY LAW**

Patricia Schulz questioned the Division of Enforcement's handling of administrative warning 04 NHA 002. The administrative warning came before the Board for approval on September 16, 2004 and was referred back to the Division of Enforcement, as Ms. Schulz, the case advisor, had no previous knowledge on the background information concerning the case.

Eric Callisto, Division Administrator, met with the Board to answer questions regarding the Division of Enforcement's process of issuing administrative warnings and to clarify the Divisions procedures. Mr. Callisto stated that the screening panel members may suggest that an administrative warning be issued prior to having the case reviewed by the case advisor. It was suggested that a screening panel member be assigned, as the case advisor, if they are recommending an administrative warning in order for them to have the background information on the case. The Board requested that the Department work with the assigned case advisor on cases to keep them up to date on the background of each case.

### **ADJOURNMENT**

**MOTION:** Kenneth Arneson moved, seconded by Mary Ann Clark to adjourn the meeting at 1:35 p.m. Motion carried unanimously

**NEXT MEETINGS: MARCH 17, 2005**

### **Suggested Agenda Items**

- Nominate a delegate to attend the NAB 2005 Annual Meeting June 15-17, 2005 Boston, MA.
- Administrative Warning 04 NHA 004